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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hennings et al.

Examiner: MARTIN, DAVID S.

Serial No.: 10/754,914

Group Art Unit: 2837

Filed: January 8, 2005

Docket: 09064.0027USU1

Confirmation No.: 8589

Notice of Allow.

No.:

Date:

Due Date:

Title: GENETIC MUSIC

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 408493761 US

Date of Deposit: January 19, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Lynda Kraft

Mail Stop IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 3 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By:

Name: Denise M. Kettelberger

Reg. No.: 33,924

DMK:lek



S/N 10/754,914

PATENT

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By:

Name: Lynnda Kraft

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop IDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903

Date:

19 January 2005

Denise M Kettelberger

Denise Kettelberger, Ph.D.

Reg. No. 33,924

DMK:lek

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PATENT TRADEMARK OFFICE



INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

09064.0027USU1

Application Number:

10/754,914

Applicant: Hennings et al.

Filing Date: January 8, 2004

Group Art Unit: 2837

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,4043,559	08/23/77	Eigen et al.			
	5,856,928	01/05/99	Yan			
	6,125,331	09/26/00	Toh			
	6,172,941 B1	01/09/01	Bieramperl			
	6,266,654 B1	07/24/01	Schull			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		de la Cruz, 1995-2003, <i>The Nucleic Acid Database Project</i> , Rutgers, The State of New Jersey, http://ndbserver.rutgers.edu/atlas/music/proj.1.html , pp. 1-4 "Project 1 (Plain Melody & Composition 1)."
		Gena et al., 2001, http://www.artic.edu/~pgena/docs/gena-strom-DNA.pdf , pp. 1-7 "A Physiological Approach to DNA Music."
		Gena et al., <i>Sixth International Symposium on Electronic Art</i> , Montreal, 1995: 83-85. <i>XI Colloquio di Informatica Musicale</i> , Univeristà di Bologna, 1995: 203-204. http://www.artic.edu/~pgena/docs/CIMXI-gena-strom.pdf , pp. 1-2 "Musical Synthesis of DNA Sequences."

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.